

**COMMISSION DIRECTIVE**

ADMINISTRATIVE MATTER	<input type="checkbox"/>	DATE	<u>January 14, 2009</u>
MOTOR CARRIER MATTER	<input type="checkbox"/>	DOCKET NO.	<u>2008-251-E</u>
UTILITIES MATTER	<input checked="" type="checkbox"/>	ORDER NO.	<u></u>

**SUBJECT:**

DOCKET NO. 2008-251-E - Application of Carolina Power and Light Company d/b/a Progress Energy Carolinas, Incorporated for the Establishment of Procedures for DSM/EE Programs –Discuss with the Commission a Petition to Intervene Out of Time Filed by Southern Environmental Law Center, the Coastal Conservation League, the Natural Resources Defense Council, and the Southern Alliance for Clean Energy along with Progress Energy Carolinas, Incorporated’s Motion to Deny Petition to Intervene Filed on Behalf of the Southern Environmental Law Center, the Coastal Conservation League, the Natural Resources Defense Council, and the Southern Alliance for Clean Energy.

**COMMISSION ACTION:**

The Petitioners to Intervene Out of Time in Docket No. 2008-251-E have provided a validly stated interest in this proceeding, but have delayed making their intervention request for more than four (4) months past the intervention deadline. Therefore, while I move to grant the Petition to Intervene Out of Time filed by the Southern Environmental Law Center, the Coastal Conservation League, the Natural Resources Defense Council, and the Southern Alliance for Clean Energy, to avoid prejudice to the other parties in the proceeding, it is with the condition that the current schedule in this docket remain in force, including the January 22, 2009, deadline for the direct pre-filed testimony of intervenors. In light of this condition, I move we deny Progress Energy Carolinas’ Motion to Deny the Petition to Intervene Out of Time.

PRESIDING: FlemingSESSION: RegularTIME: 2:30 p.m.

	MOTION	YES	NO	OTHER
CLYBURN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
FLEMING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HAMILTON	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
MITCHELL	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WHITFIELD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
WRIGHT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

RECORDED BY: J. Schmieding